

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 16 JAN 2006

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Applicant's or agent's file reference <b>2004-2599.EP05</b>	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416
International application No. <b>PCT/PT2004/000024</b>	International filing date ( <i>day/month/year</i> ) <b>13.10.2004</b>	Priority date ( <i>day/month/year</i> ) <b>17.10.2003</b>	
International Patent Classification (IPC) or national classification and IPC <b>A41D13/005</b>			
Applicant <b>NUNES RAMOS DE CARVALHO</b>			
1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of 5 sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> <i>sent to the applicant and to the International Bureau</i> a total of    sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> <i>(sent to the International Bureau only)</i> a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).			
4. This report contains Indications relating to the following items: <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Box No. I      Basis of the opinion  <input type="checkbox"/> Box No. II     Priority  <input type="checkbox"/> Box No. III    Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  <input type="checkbox"/> Box No. IV    Lack of unity of invention  <input checked="" type="checkbox"/> Box No. V     Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement  <input type="checkbox"/> Box No. VI    Certain documents cited  <input type="checkbox"/> Box No. VII    Certain defects in the international application  <input checked="" type="checkbox"/> Box No. VIII   Certain observations on the international application                 </div>			
Date of submission of the demand  <b>23.06.2005</b>		Date of completion of this report  <b>17.01.2006</b>	
Name and mailing address of the International preliminary examining authority: <div style="margin-left: 20px;">                      European Patent Office - P.B. 5818 Patentlaan 2                      NL-2280 HV Rijswijk - Pays Bas                      Tel. +31 70 340 - 2040 Tx: 31 651 epo nl                      Fax: +31 70 340 - 3016                 </div>		Authorized Officer  <b>D'Souza, J</b>  Telephone No. +31 70 340-	



**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
PCT/PT2004/000024

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**Box No. I Basis of the report**

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1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements\*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

**Description, Pages**

1-18 as originally filed

**Claims, Numbers**

1-11 as originally filed

**Drawings, Sheets**

1/2-2/2 as originally filed

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the \_\_\_\_\_ Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

\* If item 4 applies, some or all of these sheets may be marked "superseded."

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	1-7
	No: Claims	
Inventive step (IS)	Yes: Claims	1-7
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

2. Citations and explanations (Rule 70.7):

**see separate sheet**

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**Box No. VIII Certain observations on the international application**

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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

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**Re Item V**

**Reasoned statement with regard to novelty, inventive step and industrial  
applicability; citations and explanations supporting such statement**

Reference is made to the following document:

D1: US-A-5 148 002 (KUO DAVID D ET AL) 15 September 1992 (1992-09-15)

D2: US-B1-6 584 798 (SCHEGERIN ROBERT) 1 July 2003 (2003-07-01)

**1 Claims 1 and 11 - Novelty (Article 33(2) PCT)**

- 1.1 The document D1 is regarded as being the closest prior art to the subject-matter of claims 1 and 11, and discloses (the references in parentheses applying to this document):

An autonomous garment (20) with active thermal control and powered by solar cells, comprising: solar cells, batteries (190), resistors (102), Peltier cells , micro-controller (130), electric bus connector (54), thermal sensors (208) and plugs (182, 186).

As well as

A method to produce such an autonomous garment (20).

- 1.2 The subject-matter of claims 1 and 11 therefore differs from this known garment in that it further comprises a refrigeration cycle and corresponding pipes.
- 1.3 The subject matter of claims 1 and 11 is therefore novel (article 33(2) PCT).

**2 ~~Claims 1 and 11 - Inventive step (Article 33(3) PCT)~~**

- 2.1 The problem to be solved by the present invention may be regarded as being to improve the cooling function of a garment with active thermal control.
- 2.2 The solution to the problem proposed in claims 1 and 11 of the present application is considered to involve an inventive step (Article 33(3) PCT), because although the use of miniaturized refrigeration units in garments is known (see for example D2), it is

neither known nor suggested in the available prior art to use such a unit in combination with resistance heating and Peltier cells in a single garment.

**3 Dependent Claims**

Claims 2 - 10 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

**Re Item VIII**

**Certain observations on the international application**

- 4 The vague statement in the description on page 18 concerning portable electronic devices implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity (Article 6 PCT) when used to interpret them.

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